

**BEFORE THE ARIZONA BOARD OF
OSTEOPATHIC EXAMINERS IN MEDICINE AND SURGERY**

IN THE MATTER OF:)	
)	
EUGENE HANNIBAL PARDI, D.O.)	STIPULATION AND CONSENT
Holder of License No. 2221 for the)	ORDER FOR SUSPENSION
practice of osteopathic medicine in the)	OF LICENSE
State of Arizona.)	
_____)	

STIPULATION

By mutual agreement and understanding, the Arizona Board of Osteopathic Examiners (hereafter "Board") and Eugene Hannibal Pardi, D.O. (hereinafter "Respondent"), the parties hereto agree to the following disposition to this matter.

1. Respondent acknowledges that he has read this Stipulation and the attached Consent Order; and, Respondent is aware of and understands the content of these documents.
2. Respondent understands that by entering into this Stipulation, he voluntarily relinquishes any rights to a hearing on the matters alleged as grounds for Board action or to seek judicial review of the consent order in state or federal court.
3. Respondent understands that this Stipulation and Consent Order will not become effective unless approved by the Board and signed by its Executive Director.
4. Respondent further understands that this Stipulation and Consent Order, once approved and signed, shall constitute a public records which will be disseminated as a formal action of the Board.
5. Respondent admits to the statement of facts and conclusions of law contained in the Stipulated Consent Order.

6. All admissions made by Respondent are solely for final disposition of this matter and any subsequent administrative proceedings or litigation involving the Board, Respondent and the State of Arizona; and, therefore, said admissions by Respondent are not intended for any other purpose or administrative regulatory proceeding or litigation in another state or federal court.

7. Respondent acknowledges and agrees that upon signing and returning this document (or a copy thereof) to the Board's Executive Director, he may not later revoke or amend this Stipulation or any part of the Consent Order, although said Stipulation has not yet been accepted by the Board and issued by its Executive Director, without first obtaining Board approval.

REVIEWED AND ACCEPTED this 29th day of November, 1996.



Eugene Hannibal Pardi, D.O.

STATE OF ARIZONA)
) ss
County of Maricopa)

This instrument was acknowledged before me this ___ day of November, 1996 by the above-named individual.

Notary Public

My Commission expires:

Witnessed on 11/29/96 by
Board Executive Director,
Ann Marie Berger

REVIEWED AND APPROVED as to form by counsel for Respondent on this 27th day of
November, 1996.

E. H. Paus

REVIEWED AND SIGNED this 27th day of November, 1996 for the Board by:

Ann Marie Berger

Ann Marie Berger, Executive Director
Arizona Board of Osteopathic Examiners in Medicine
and Surgery

**BEFORE THE ARIZONA BOARD OF
OSTEOPATHIC EXAMINERS IN MEDICINE AND SURGERY**

IN THE MATTER OF:)	
)	
EUGENE HANNIBAL PARDI, D.O.)	CONSENT ORDER FOR SUSPENSION
Holder of License No. 2221 for the)	OF LICENSE
practice of osteopathic medicine)	
in the State of Arizona.)	
_____)	

FINDINGS OF FACT

1. Eugene H. Pardi, D.O., (hereafter "Respondent"), is a licensee of the Board and the holder of License No. 2221. Respondent's Board license is currently subject to a Board probationary order for substance abuse rehabilitation and restrictions and Respondent is not registered with the U.S. Drug Enforcement Agency ("DEA") to prescribe controlled substances.

2. Respondent acknowledged that he had voluntarily admitted himself to Valley Hope Rehabilitation Center on November 21, 1996 after self-administering the controlled substance Demerol.

3. On November 25, 1996 the Board held a telephone conference call. Respondent personally appeared at the Board's office to participate in the meeting and was accompanied by his brother, Captain Chris Pardi. The Board's Executive Director informed the Board of the following information during the meeting. On November 22, 1996 the Board's Complaint/Compliance Manager, Patty Rustenburg, received a telephone call from Respondent informing her that he had voluntarily admitted himself into Valley Hope Rehabilitation Center after taking the controlled substance, Demerol.

4. Respondent requested, due to his relapse in his rehabilitation with substance abuse, that the Board allow him to enter into a Stipulated Consent Order for suspension of his license for a minimum of one year. he be allowed to enter into a Stipulated Consent Order for Surrender of License.

CONCLUSIONS OF LAW

1. Pursuant to Arizona Revised Statutes § 32-1800, et seq., the Arizona Board of Osteopathic Examiners in Medicine and Surgery has subject matter and personal jurisdiction in this matter.

2. The Board finds that Respondent violated federal and state statutes and regulations concerning the use and/or possession of controlled substances and violated the Board's Order of Probation.

3. Pursuant to Arizona Revised Statutes § 32-1855(C) and § 41-1061(D), enter a Stipulated Consent Order for the suspension of a license.

4. Based upon the Findings of Fact set forth above herein, the Board concludes that it has the requisite factual basis and legal authority to order suspension of Respondent's license.

ORDER

Pursuant to the authority vested in the Board, **IT IS HEREBY ORDERED THAT:**

1. Respondent's Board License Number 2221 for the practice of osteopathic medicine and surgery in the State of Arizona is hereby suspended for a minimum of one (1) year from the effective date of this Order. And, thereafter, Respondent may file a written request to the Board seeking reinstatement of the license which shall be reviewed and considered by the Board at a Board scheduled public meeting. The determination of the Respondent's qualifications for reinstatement

of license shall be dependent upon Respondent's compliance of all terms and conditions set forth in this Order and all applicable statutory or administrative rule requirements governing to the practice of medicine in the State of Arizona.

2. Respondent shall deliver by mail to the Board's office all documents in his possession or subject to his control that indicate he is a licensee of the Board. Said delivery of the aforementioned documents shall be accomplished by Respondent mailing the documents to the attention of the Board's Executive Director and to its business office address at 141 E. Palm Lane, Suite 205, Phoenix Arizona 85004.

3. For a minimum of one year from the date of this Order, Respondent shall obtain psychiatric or psychological treatment by a therapist(s) who is either a licensed psychiatrist and/or psychologist and is selected by Respondent. Respondent shall comply with the therapist recommendation for the frequency of therapy treatment sessions. Respondent shall inform the Board by letter (mailed within ten days of the date of this Order) of the therapist's name; and, Respondent shall undertake and fully cooperate with a program of treatment established by the therapist. In the event Respondent changes therapists, he shall give the Board written notice within ten (10) days of said action. Respondent shall not discontinue or reduce the frequency of psychotherapy sessions until he has submitted a written request to the Board and obtained Board approval.

4. Respondent's therapist(s) shall receive a copy of this Order and Board Staff shall cooperate with and disclose all relevant information in the Board's files concerning Respondent. The treating therapist shall be directed by Respondent to send to the Board a written progress reporter every three (3) months; and Respondent, shall waive any confidentiality concerning his psychotherapy in order that the Board may receive full disclosure of information. The expense of

the aforementioned therapy and the reports to the Board by Respondent's therapist shall be the sole responsibility of the Respondent.

5. Respondent may have his license to practice as an osteopathic physician restricted, suspended or revoked by the Board in the future if:

- (A) The Board finds that Respondent does not have the requisite mental, physical and emotional fitness to safely continue the practice of medicine; or,
- (B) There are new grounds for finding unprofessional conduct concerning Respondent; or,
- (C) Fails to comply fully with the terms and conditions of this Order.

6. Respondent shall abstain completely from the consumption of alcoholic beverages; and, Respondent shall not consume illicit drugs or take any controlled substances (i.e., prescription only drugs), unless such medication is prescribed for him by his treating physician. Respondent shall maintain a monthly log (for the duration of probation) of all prescription only drugs taken by him and such log shall include the following information:

- (a) the name of the medication;
- (b) name of prescribing physician;
- (c) reason for the medication.

At the first of each month, Respondent shall report by letter to the Board whether or not he is taking any prescription only medication and, if so, a copy of his log reflecting the above information.

7. Respondent shall also, as part of his probation: (A) submit to and cooperate in any independent medical or psychological evaluation that is ordered by the Board for Respondent and

conducted by the Board's designated physician and/or psychologist which shall be paid for by the Board; and (B) appear before the Board, upon receipt of a request by written or telephonic notification from the Board's executive director which shall be given at least five (5) days prior to the Board meeting; and, (C) submit to random biological fluid testing and promptly provide (i.e., within sixty (60) minutes of notification) required biological fluids for testing and said testing shall be done at the Respondent's expense.

8. Respondent shall participate in a minimum of two (2) self-help meetings per week through such organizations as A.A., N.A., S.A. and doctor's Caduceus group.

9. This Order shall supersede and replace all prior orders of the Board concerning Respondent.

10. In the event Respondent ceases to reside in Arizona, he shall give written notice to the Board of his new residence address within twenty (20) days of moving; and, the terms and duration of probation may be stayed by the Board until Respondent returns to Arizona.

11. Respondent shall not prescribe any controlled substances until the Board approves resumption of his prescription privileges for controlled substances and Respondent obtains recertification of his U.S. Drug Enforcement Agency license.

12. Respondent shall continue to meet all licensing requirements such as continuing medical education and renewal requirements including applicable fees pursuant to A.R.S. § 32-1825.

13. The Board's Executive Director shall send correspondence to the appropriate state and/or federal law enforcement agency disclosing information in the Board's possession which may establish criminal misconduct by Respondent, i.e., illicit use of controlled substances.

14. Respondent's failure to comply with the requirements of this Order shall constitute unprofessional conduct as defined at A.R.S. § 32-1854(26), as amended, and may be considered as grounds for further disciplinary action (e.g., suspension or revocation of license) in the event that Respondent fails to comply with any of the requirements of this Order.

ISSUED this 29th day of November, 1996.

ARIZONA BOARD OF OSTEOPATHIC EXAMINERS
IN MEDICINE AND SURGERY

By: Ann Marie Berger
Ann Marie Berger, Executive Director
141 E. Palm Lane, Suite 205
Phoenix AZ 85004
Telephone: (602) 255-1747 (ext. 22)

Served by personal service ~~on~~ and
sending U.S. certified mail
this 29th day of November, 1996 to:

Eugene Pardi, D.O.
4512 N. 40th Street
Phoenix AZ 85018

Copy mailed this 29 day of November, 1996
to:

Michael N. Harrison
Assistant Attorney General
Office of the Attorney General
1275 W. Washington
Phoenix AZ 85007 (w/enclosure)

Susan Via
Assistant U.S. Attorney
Office of the U.S. Attorney
110 S. Church Street, Suite 8310
Tucson, AZ 85701 (w/enclosure)

Arizona Board of Pharmacy
5060 N. 19th Ave., Suite 101
Phoenix AZ 85015 (w/enclosure)

Drug Enforcement Administration
Attention: Diversion Section
3010 N. 2nd St
Phoenix AZ 85012 (w/enclosure)


